

U.S. Patent Application Serial No. 09/987,909
Amendment dated September 4, 2003
Reply to OA of June 4, 2003

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REMARKS

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The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated June 4, 2003.

Claims 1 - 6 are pending in this application. No new claims have been added.

Claims 1 - 3 are rejected under 35 USC §103(a) as being unpatentable over Ahroni (U.S. Patent No. 6,079,848) in view of Yamamoto et al. (U.S. Patent No. 5,675,890).

In the outstanding Office Action, it has been stated that "Ahroni does not disclose each of the pressure contact receiving grooves being pre-formed." The applicant agree with this Action's assessed shortcoming of the primary reference. To supplement this shortcoming, the outstanding Action asserts that: "Yamamoto et al. teach pre-formed receiving grooves (between 99, 101 and 103) to accommodate the contact blades of the apparatus. It would have been obvious to one having ordinary skill in the art to pre-formed the grooves of Ahroni as Yamamoto et al. teach to prevent deformation of the contact blades during mating."

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The applicants respectfully request reconsideration of this rejection.

MPEP 2143.01 specifically states that:

"[i]f proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)."

In Yamamoto, there is a clear teaching that this device is meant to make electrical connections between two adjacent wires W1 and W2. As clearly shown in Figure 1(a) and described in the accompanying description, two adjacent wires W1 and W2 are respectively inserted into a number of grooves on blade 43 so as to complete the electrical connection.

In Ahroni, as clearly shown in Figure 1, adjacent wires 12, 13 and 14 are ultimately connected to an electrical plug 17 via a controller 16, which means these wires should not be shorted and they should only be shorted under the control of controller 16. Should any of these wires be shorted permanently, the controller 16 would be unable to perform its designated functions. By combining Ahroni and Yamamoto, it is inevitable that two adjacent wires will be permanently shorted due to the teaching of Yamamoto. This would render Ahroni unable to perform its designed functions.

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Therefore, given this situation, it would be the U.S. PTO's position and the C.A.F.C.'s position that because the outstanding Action's proposed modification would render the modified prior art device of Ahroni unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. As such, a person of ordinary skill in the art would not have found the applicants' claimed invention obvious based on the teachings of Ahroni and Yamamoto, singly or in combination.

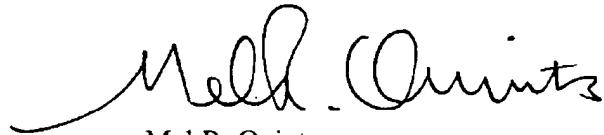
In view of the above, the withdrawal of the outstanding obviousness rejection under 35 USC §103(a) based on Ahroni (U.S. Patent No. 6,079,848) in view of Yamamoto et al. (U.S. Patent No. 5,675,890). is in order, and is therefore respectfully solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP



Mel R. Quintos
Attorney for Applicants
Reg. No. 31,898

MRQ/lrj/ipc

Atty. Docket No. 011524
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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